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June 11, 2020

By ECF

The Honorable James L. Garrity, Jr.
United States Bankruptcy Court, Southern District of New York
One Bowling Green
New York, New York 10004

Re: Victor Santiago and Sandra Almodovar Santiago, Plaintiffs, v. Alan Nisselson, as Chapter 7 Trustee, Defendant, Adv. Proc. No. 19-1361-jlg
(In re Aida Luz Santaigo, a/k/a Aida L Gutierrez (“Debtor”), Chapter 7, Case No. 19-12358-jlg))

Dear Judge Garrity:

This firm is counsel to Alan Nisselson, chapter 7 Trustee for the referenced Debtor, and Defendant in the above-referenced Adversary Proceeding. This is the Trustee’s status letter pursuant to the Court’s Order entered on May 28, 2020 (Doc. 18).

On May 19, 2020, the Court heard the motion of Carlos J. Cuevas, Esq. to withdraw as counsel to the Plaintiffs in the above-referenced Adversary Proceeding, and the Pretrial Conference. The Court granted Mr. Cuevas’ motion to withdraw, but directed him to provide the Plaintiffs with contact information for the Trustee and undersigned counsel so that the Plaintiffs and the Trustee could continue settlement discussions. Since then, Mr. Cuevas assured me that he forwarded the contact information for the Trustee and me to the Plaintiffs, but neither the Trustee nor I have received any communication from the Plaintiffs. Accordingly, we have not had any settlement discussions with Plaintiffs.

During the Pretrial Conference, Your Honor authorized the Trustee to proceed to file an answer or a dispositive motion in the Adversary Proceeding if a settlement with Plaintiffs could not be reached. The Pretrial Conference was adjourned to June 18, 2020 at 10:00 a.m. If the Trustee has not had any settlement discussions with Plaintiffs before the adjourned Pretrial Conference,

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we intend to advise the Court on that date that the Trustee will proceed as the Court already authorized.

Respectfully submitted,

/s/ Leslie S. Barr